

CHAITMAN LLP

Helen Davis Chaitman
Gregory M. Dexter
465 Park Avenue
New York, New York 10022
(888) 759-1114
hchaitman@chaitmanllp.com
gdexter@chaitmanllp.com

*Attorneys for Participating Claimants listed on
Exhibit A annexed hereto*

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

DECLARATION OF HELEN DAVIS CHAITMAN

I, Helen Davis Chaitman, hereby declare as follows:

1. I am a partner with Chaitman LLP, counsel to the BLMIS participating claimants listed on **Exhibit A** (“Participating Claimants”). I am a member of the bars of New York and New Jersey, and of this Court.

2. I submit this declaration in connection with the Participating Claimants’ memorandums of law in opposition to the Trustee’s motion *in limine* number 3 to exclude

deposition testimony of Aaron Blecker and number 4 to bar the Participating Claimants from calling the Trustee as a witness.

3. Annexed hereto as **Exhibit B** is a true and correct copy of Transcript of Hearing on July 6, 2016 before Hon. Stuart M. Bernstein.

4. Annexed hereto as **Exhibit C** is a true and correct copy of Aaron Blecker's SIPC Claims Accounts 1B0022 and 1B0156, July 22, 2009.

5. Annexed hereto as **Exhibit D** is a true and correct copy of Trustee's determination letter, October 19, 2009, Account 1B0022.

6. Annexed hereto as **Exhibit E** is a true and correct copy of Supplemental Expert Report of Lisa M. Collura dated December 17, 2015, Attachments D.17 and D.18.

7. Annexed hereto as **Exhibit F** is a true and correct copy of Affidavit of Aaron Blecker November 18, 2009 [ECF 961, Bankr Case 08-01789].

8. Annexed hereto as **Exhibit G** is a true and correct copy of Aaron Blecker's letter to Judge Lifland and Irving Picard, October 19, 2010.

9. Annexed hereto as **Exhibit H** is a true and correct copy of Aaron Blecker's letter to Judge Burton R. Lifland, November 2, 2009.

10. Annexed hereto as **Exhibit I** is a true and correct copy of Trustee's determination letter, May 10, 2010, Account 1B0156.

11. Annexed hereto as **Exhibit J** is a true and correct copy of Supplemental Expert Report of Matthew B. Greenblatt dated December 17, 2015, page 24.

12. Annexed hereto as **Exhibit K** is a true and correct copy of Declaration of Aaron Blecker dated April 29, 2014.

13. Annexed hereto as **Exhibit L** is a true and correct copy of Notice of Deposition dated June 20, 2014 and Amended Notice of Deposition dated June 23, 2014.

14. Annexed hereto as **Exhibit M** is a true and correct copy of Email from Bik Cheema, August 1, 2014 re: Trustee not deposing Aaron Blecker.

15. Annexed hereto as **Exhibit N** is a true and correct copy of Trustee's Motion for Order Amending Schedule of Litigation of Profit Withdrawal Issue [ECF No. 12865].

16. Annexed hereto as **Exhibit O** is a true and correct copy of Transcript of Hearing on February 24, 2016 before Hon. Stuart M. Bernstein.

17. Annexed hereto as **Exhibit P** is a true and correct copy of May 2016 and June 2016 Emails between Trustee and Helen Davis Chaitman.

18. Annexed hereto as **Exhibit Q** is a true and correct copy of Letter from Seanna Brown to the Court dated June 3, 2016 [ECF No. 13450].

19. Annexed hereto as **Exhibit R** is a true and correct copy of Letter from Helen Davis Chaitman to the Court dated June 3, 2016 [ECF No. 13451].

20. Annexed hereto as **Exhibit S** is a true and correct copy of Transcript of Hearing on June 19, 2014 before Hon. Stuart M. Bernstein.

I declare that the foregoing is true and correct.

November 18, 2016

/s/ Helen Davis Chaitman
Helen Davis Chaitman

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2016, I caused a true and correct copy of the foregoing document to be served upon the parties in this action who receive electronic service through CM/ECF and by electronic mail upon:

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Seanna R. Brown
Email: sbrown@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

CHAITMAN LLP

By: /s/ Helen Davis Chaitman
465 Park Avenue
New York, NY 10022
Phone & Fax: 888-759-1114
hchaitman@chaitmanllp.com

Attorneys for Participating Claimants